

REMARKS

At the outset, applicants thank Examiner Martin for her time and consideration of the present application during the interview with Roland Long and Robert Madsen on April 18, 2006.

At the interview, the Examiner stated the electrolyte salt of YAMAMOTO has an ionic silicon structure similar to the silicon compound of original claim 1.

Claims 1-11, 13 and 15-22 are pending in the present application. Claims 1-11, 13 and 15-20 have been amended. Claims 21 and 22 are new. Claims 12 and 14 have been canceled.

Claims 1-14 were rejected under 35 USC §102(b) as being anticipated by YAMAMOTO et al. Applicants respectfully disagree.

YAMAMOTO et al. teach a nonaqueous electrolyte solution comprising an electrolyte in an organic solvent, which contains a salt of an organofluorosilicon compound which is represented by the general formula $M_m[R_nSiF_{4-n+m}]$. In the general formula, m represents 1 or 2; and n represents 1, 2 or 3. Accordingly, compounds represented by the above general formula can be as follows:

when $m=1$, $n=1$: $M[RSiF_4]$

when $m=1$, $n=2$: $M[R_2SiF_3]$

when $m=1$, $n=3$: $M[R_3SiF_2]$

when $m=2$, $n=1$: $M_2[RSiF_5]$

when $m=2$, $n=2$: $M_2[R_2SiF_4]$

when $m=2$, $n=3$: $M_2[R_3SiF_3]$

When $m=1$, the compound is a salt wherein 5 substitution groups are bonded to Si, and 2-4 fluorine atoms are bonded to a silicon. When $m=2$, the compound is a salt wherein 6 substitution groups are bonded to Si, and 3-5 fluorine atoms are bonded to a silicon.

Contrary to this, the silicon compound of the claimed invention is, when X in formula (I) represents a fluorine, a mono-fluorosilicon compound represented by $R_1R_2R_3SiF$, wherein 4 substitution groups are bonded to a silicon and one fluorine atom is substituted for one of these 4 substitution groups.

In view of this, it is readily apparent that the silicon compound represented by formula (I) of the claimed invention is a different compound from the salt of the organofluorosilicon compound of YAMAMOTO et al.

Thus, YAMAMOTO et al. cannot anticipate the claimed invention. Applicants respectfully request that the anticipation rejection be withdrawn.

Claims 15-20 were rejected under 35 USC §103(a) as being obvious over YAMAMOTO et al. in view of YAMADA et al. Applicants respectfully disagree.

The YAMAMOTO et al. application is offered for its alleged teaching of a nonaqueous electrolytic solution including a mono-fluorosilicon compound. YAMADA et al. are offered the alleged teaching of a nonaqueous electrolytic solution comprising a flame retardant.

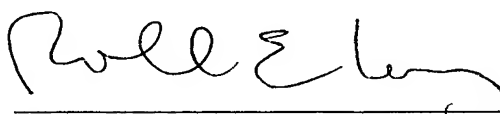
However, the present application and YAMADA et al. were commonly owned at the time of filing of the present application, and the YAMADA et al. reference qualifies as a reference under 35 USC §102(e). Accordingly, the YAMADA et al. reference is disqualified under 35 USC §103(c) and cannot be relied on to remedy the shortcomings of YAMAMOTO et al. Therefore, applicants respectfully request that the rejection be withdrawn.

In view of the above, applicants believe that the present application is in condition for allowance at the time of the next Official Action. Allowance and passage on that basis is respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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